RECEIVED **CENTRAL FAX CENTER**

JAN 1 8 2011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.:

Applicant(s):

10/597,862

Thomas Kenney

Confirmation No.:

7260

PATEN

Filed:

4/28/08

Art Unit:

2617

Examiner: Barry Taylor

Title:

SYSTEM AND METHOD FOR LIMITING MOBILE DEVICE

FUNCTIONALITY

Docket No.: 042933/314689

Customer No.: 00826

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. § 41.31)

Applicant hereby appeals to the Board of Appeals and Interferences from the last decision of the Examiner. The fee for this Notice of Appeal is under 37 CFR § 41.20(b)(1)).

			07763 1170
A 1	1-1	a ta dita a	

. Applicant claims small entity Status.

A check is enclosed.

(\$540.00 for large entity fee or \$270.00 if small entity status)

The fee was paid during e-filing.

Please charge Deposit Account No. 16-0605 for the Notice of Appeal Filing Fee and a one month extension of time.

 \boxtimes Any additional fee or refund may be charged to our Deposit Account No. 16-0605.

 \boxtimes A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

Respectfully submitted,

Nathaniel T. Quirk Registration No. 60,676

Customer No. 00826 ALSTON & BIRD LLP

Bank of America Plaza 101 South Tryon Street, Suite 4000

Charlotte, NC 28280-4000

Tel Charlotte Office (704) 444-1000

Fax Charlotte Office (704) 444-1111

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at facsimile number 571-273-83,00 on the date shown below.

PAGE 2/9 * RCVD AT 1/18/2011 6:44:08 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-5/41 * DNIS:2738300 * CSID: * DURATION (mm-ss):03-34